

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

OZARK MOUNTAIN SPECIALTY)	
FOODS, INC.,)	
)	8:04CV349
Plaintiff,)	
)	
vs.)	ORDER
)	
EAT ME, LLC and SANDRA S. JOHNO,)	
)	
Defendants.)	

This matter is before the court on the reports of the parties concerning the status of the reported settlement in this matter (Filing Nos. 31 and 32). It is clear that a settlement has not been reached, and accordingly, this matter shall proceed to trial.

Prior to the report of settlement, this matter was scheduled for a planning conference to schedule the matter to trial. Accordingly,

IT IS ORDERED:

The court will hold a telephone conference with counsel for the plaintiff, Ms. Johno, appearing *pro se* for herself, and with counsel for Eat Me, LLC,¹ **on August 8, 2005, at 2:00 p.m. (Central Daylight Time)** for the purpose of scheduling this matter to trial. Counsel for the plaintiff shall initiate the telephone conference.

DATED this 22nd day of July, 2005.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge

¹ Unless the party Eat Me, LLC, shall have defaulted on or after August 1, 2005, for failure to substitute counsel for a corporate party as previously ordered by this court on July 5, 2005. **See** Filing No. 29.